

ENTERED

November 12, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ANDREA GARCIA,

Plaintiff,

VS.

METROPOLITAN LIFE INSURANCE, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:19-CV-113

ORDER ADOPTING REPORT AND RECOMMENDATION

In February of this year, the Court dismissed Plaintiff Andrea Garcia's causes of action for failure to state a claim. (Order, Doc. 20) In that Order, the Court requested that Garcia's counsel, Juan Angel Guerra, show cause why he "should not be sanctioned for the repeated filing of meritless complaints, as detailed in the adopted Report and Recommendation." (*Id.*) Counsel failed to do so.

In April, the Court ordered Guerra to pay \$10,936.92 in sanctions to Defendants Metropolitan Life Insurance Company and Bayview Loan Servicing, LLC. (Doc. 23) In July, Defendants filed their Motion for Contempt because Guerra failed to pay the sanctions and continued to file lawsuits similar to this one, which led to the imposed sanctions. (Motion for Contempt, Doc. 27) Defendants request additional fees and costs incurred in attempting to collect the imposed sanctions and in filing the Motion for Contempt. (*Id.*) Guerra has responded to the Motion for Contempt, and moved to dismiss the sanctions order. (Motion to Dismiss, Doc. 30)

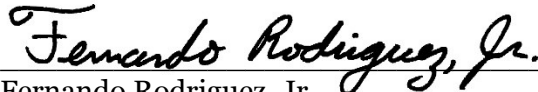
The United States Magistrate Judge issued a Report and Recommendation (Doc. 34) recommending that the Motion for Contempt be granted and that the Motion to Dismiss be denied. No party filed objections.

As a result, the Court **ADOPTS** the Report and Recommendation (Doc. 34), although the Court modifies the sanctions that the Defendants requested and that the Magistrate Judge recommended. It is:

ORDERED that Juan Angel Guerra's Motion to Dismiss Sanctions Order (Doc. 30) is **DENIED**; and

ORDERED that Defendants' Motion for Contempt (Doc. 27) is **GRANTED IN PART AND DENIED IN PART**. The Court will specify the additional sanctions imposed against Juan Angel Guerra in an Amended Order Imposing Sanctions.

SIGNED this 12th day of November, 2020.



Fernando Rodriguez, Jr.
United States District Judge